



Iowa Department of
Administrative Services

Director's Office

Chester J. Culver, Governor
Patty Judge, Lt. Governor

Mollie K. Anderson, Director

To: General Services Customer Council

From: Mollie K. Anderson, Director

RE: Ruling on Petition for Waiver of Administrative Rule/Subrule

2007 GSE 2

The Department of Administrative Services (DAS) is governed by Iowa Code chapter 8A, and section 11 of the Iowa Administrative Code. Provisions for customer councils are under section 8A.121, and 11 IAC 10.

On April 17, 2007, the General Services Customer Council ("Council") filed a petition for waiver of subrule 11 IAC 10.7(3) that requires utility rates to be set by September 1 of the year preceding the rate change.

DAS/GSE has brought to the Council information which would allow certain rates to be reduced. Those rate reductions are documented in information distributed by DAS/GSE at the April 13, 2007 Customer Council meeting.

An amendment to the administrative rules reflecting a change in the subrule referenced by the petition (to allow rate increases and decreases to occur throughout the year upon recommendation of DAS/GSE and affirmative vote of the Council) is pending.

The undersigned has reviewed all of the information submitted in the petitions, and, pursuant to 11 IAC 9.4(3) hereby grants the petition based on the determination that no undue hardships exist, no legal rights are substantially harmed, and no equal protection of public health, safety, and welfare is at issue as DAS has already announced this change in a rulemaking and has not even been asked to appear before the Administrative Rules Review Committee.

The petition for waiver filed April 17, 2007 is granted.

Signed this 24 day of April, 2007.

Mollie K. Anderson, Director
Department of Administrative Services